

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

STEPHEN BAIN)
)
v.) NO. 3:08-0656
) JUDGE CAMPBELL
TRANSCOR AMERICA, LLC, et al)

ORDER

Pending before the Court is a Report and Recommendation of the Magistrate Judge (Docket No. 100), to which no Objections have been filed. The Court has reviewed the Report and Recommendation and the file. The Report and Recommendation is adopted and approved.

Accordingly, Defendant Transcor America's Motion for Summary Judgment (Docket No. 81) is GRANTED, and Plaintiff's federal claims against Transcor are DISMISSED. All claims against Defendants Peter Potanas and Howard Brooks are DISMISSED without prejudice, pursuant to Fed. R. Civ. P. 4(m), for failure of service of process. Finally, pursuant to 28 U.S.C. § 1367, the Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims, and those claims are DISMISSED without prejudice.

All Defendants and claims now having been dismissed, the Clerk is directed to close the file. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.



TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE